



# SAN DIEGO SUPERIOR COURT

---

## Standard Sentencing Guidelines

for Infractions and Misdemeanors

Courtroom Counsel Copy

*3rd Edition*  
*Effective January 1, 2008*

# TABLE OF CONTENTS

---

How to Use this Guide.....	1
Advisals .....	3
Acronyms.....	4
Standard Sentences Guidelines	
Business and Professions Code Violations .....	5
Health and Safety Code Violations .....	8
Penal Code Violations.....	9
Vehicle Code Violations .....	20
Fish & Game, Harbors & Navigation, San Diego Municipal Code, and Metropolitan Transit District Board Code Violations .....	35
PC 1000 and PC 1210 (Prop 36).....	36
Domestic Violence Offenses.....	37

---

## HOW TO USE THIS GUIDE

---

**The Standard Sentencing Guidelines is a compilation of recommended sentences, including fines and terms and conditions of probation, for the most common misdemeanor and infraction offenses. This document is meant to be used as a guide, and does not intend to remove any discretion from a judicial officer when determining the most appropriate sentence.**

**The following pages provide an overview on how to best use this Guide.**

### *Fines and Conditions of Probation*

The sentencing recommendations contain recommended total fines, including all assessments and restitution fines, as well as mandatory and recommended terms and conditions of probation, if applicable. All grants of probation include: a \$100 Restitution Fine, \$20 Court Security Fee, and all other applicable fees and assessments. The following are not included in the total fine:

1. The Probation Revocation Restitution Fine (PRRF) in an amount equal to the Restitution Fine, which must be imposed and suspended separately from the total fine due (PC§1202.44).
2. Actual restitution to the victim, which must be determined and ordered separately.
3. Attorney fees if the defendant utilizes the services of appointed counsel (addressed later in this section).

To ensure consistency court-wide in the pronouncement of judgment, fines should be announced as a total amount *plus* the PRRF suspended and any restitution to the victim. The individual fees, fines, and assessments will be allocated appropriately by staff.

Fine amounts reflected in **red** indicate that the amount is the statutory minimum permitted for the particular violation and that a fine of a lesser amount may not lawfully be imposed.

Conditions of probation with a “**(mandatory)**” indication directly after the term are minimum conditions required by statute. Conditions of probation indicated in *italics* are optional terms that the judicial officer may want to consider.

### *Payment of Fines, Fees and Assessments*

Defendants often ask the court to order a payment schedule. The judicial officer may, but certainly does not need to, grant such a request. The Court Collections Office will determine a payment schedule if needed. The judicial officer can inform the defendant that the business office will work out an appropriate payment plan with them. The defendant should be made aware that the business office will impose a fee of \$30 or \$35 for time to pay or for an installment plan, respectively.

### ***Attorney Fees***

In cases in which the defendant utilizes the services of court-appointed counsel and in cases where the court appoints counsel, attorneys' fees to repay the costs of appointed counsel are assessed against all defendants who can afford to pay them. For example, as indicated in the chart below, if a defendant pleads guilty or no contest at arraignment, the court imposes a \$25 counseling fee. These fees are not imposed as a term or condition of probation and are not included in the recommended sentences. The table below includes the appropriate fees for each event.

EVENT	AMOUNT
<b>Arraignment (counseling)</b> <ul style="list-style-type: none"><li>♦ Case is adjudicated with immediate sentence imposed.</li><li>♦ For multiple cases, only impose one fee.</li><li>♦ No charge if dismissed at arraignment.</li></ul>	\$25
<b>Probation Violation</b> <ul style="list-style-type: none"><li>♦ Admits violation &amp; waives hearing.</li><li>♦ Goes to Evidentiary hearing.</li><li>♦ For multiple cases, only impose one fee.</li></ul>	\$25 \$100
<b>Misdemeanor</b> <ul style="list-style-type: none"><li>♦ Any event after arraignment, even if case is dismissed.</li></ul>	\$100

# # #

## ADVISALS INCLUDED IN THIS DOCUMENT

---

### **PC 12021(c)**

Pursuant to Penal Code §12021(c)(1), “any person who has been convicted of a misdemeanor violation for any of the following offenses is prohibited from owning, possessing, or having under his or her custody or control any firearm within 10 years of the conviction: (offenses listed)...”

### **PC 666**

I understand, as a consequence of having been convicted of \_\_\_\_\_, and if I am required to serve at least one day in custody as a sentence or as a condition of probation, that if at any time in the future I am charged with a petty theft, that charge can be filed as a felony with a maximum punishment of up to 3 years in state prison pursuant to Penal Code §666.

### **Auto Forfeiture Advisal (AFA)/VC 14607.6**

Pursuant to Vehicle Code §14607.6, “a motor vehicle is subject to forfeiture as a nuisance if it is driven on a highway in this state by a driver with a suspended or revoked license, or by an unlicensed driver, who is a registered owner of the vehicle and has a previous misdemeanor conviction for a violation of subdivision (a) of section 12500 or section 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5.”

### **4<sup>th</sup> Amendment Waiver**

Submit person, property, place of residence, vehicle, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer.

### **VC 23593 advisal**

“You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder.”

## ACRONYMS USED IN THIS DOCUMENT

---

<b>AFA</b>	Auto Forfeiture Advisal (VC 14607.6) (see Advisal section)
<b>B&amp;R</b>	Book and Release
<b>BAC</b>	Blood Alcohol Concentration
<b>CSF</b>	Court Security Fee
<b>D</b>	Day(s)
<b>DVRP</b>	Domestic Violence Recovery Program
<b>FCP</b>	First Conviction Alcohol Education Program
<b>H</b>	Hour(s)
<b>HW</b>	Harvey Waiver
<b>IID</b>	Ignition Interlock Device
<b>ILO</b>	In Lieu Of
<b>ISS</b>	Imposition of Sentence Suspended
<b>LIO</b>	Lesser Included Offense
<b>M</b>	Month(s)
<b>MCP (or SB38)</b>	Multiple-Convictions Alcohol Education Program
<b>NVC</b>	No Victim Contact
<b>PRRF</b>	Probation Revocation Restitution Fine
<b>PWS</b>	Probation Department's Public Work Service Program
<b>RF</b>	Restitution Fund Fine
<b>SAAU</b>	Substance Abuse Assessment Unit
<b>SAC</b>	Standard Alcohol Conditions (VC 23600) <ol style="list-style-type: none"><li>1. Not drive with any measurable amount of alcohol in blood.</li><li>2. Submit to any test at the request of a peace officer for detection of alcohol and drugs.</li><li>3. Violate no laws regarding driving a motor vehicles while under the influence or in the possession of alcohol or drugs.</li><li>4. Not drive without a valid license and proof of insurance.</li></ol>
<b>SAO</b>	Stay Away Order
<b>TVS</b>	Traffic Violator School
<b>VNL</b>	Violate no laws, minor traffic infractions excepted
<b>Y</b>	Year(s)

## BUSINESS & PROFESSIONS CODE

<b>BP 4140</b> Possession of hypodermic needle	<b>ISS 3; VNL</b> <b>\$1,156</b> including \$100 SAAU fee; <b>plus \$100 PRRF suspended</b> <b>4<sup>th</sup> Waiver</b> <b>AIDS education (mandatory)</b> <b>Offer HIV test (mandatory)</b> <b>Refer to SAAU</b>
<b>BP 7028</b> Contracting without a license	<b>ISS 3; VNL</b> <b>\$411 plus \$100 PRRF suspended</b> <b>Defendant not to act as a contractor without a license</b>  Grant TRO/injunction against acting as a contractor without a license if proper showing is made.
<b>BP 22435.2</b> Shopping cart theft	<b>ISS 3; VNL</b> <b>\$411 plus \$100 PRRF suspended</b> <b>SAO</b>
<b>BP 25620</b> Open container of alcohol ( <i>Infraction</i> )	<b>\$172</b>  [No probation, fine is sentence]
<b>BP 25658(a)</b> Sale to a minor	<b>ISS 3; VNL</b> <b>\$3,945</b> plus \$100 PRRF suspended <b>24H Volunteer work at alcohol/drug program or coroner's office</b> <b>(mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>
<b>BP 25658(b)</b> Purchase or consumption by minor	<b>ISS 3; VNL</b> <b>\$1,095</b> plus \$100 PRRF suspended <b>-OR- \$145</b> (RF and fees) plus <b>\$100 PRRF suspended <u>and</u> 24H Volunteer work at alcohol/drug</b> <b>program or coroner's office</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  Fine <b>OR</b> RF and fees and volunteer work at alcohol/drug program or coroner's office <b>(mandatory)</b>

## BUSINESS & PROFESSIONS CODE

<b>BP 25658(b)</b> Purchase or consumption by minor <b>with one prior</b>	<b>ISS 3; VNL</b> <b>\$2,045 plus \$100 PRRF suspended -OR- \$145 (RF and fees) plus \$100 PRRF suspended <u>and</u> 36-48H Volunteer work at alcohol/drug program or coroner's office</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  Fine <b>OR</b> RF and fees and volunteer work at alcohol/drug program or coroner's office (mandatory)
<b>BP 25658(d)</b> Licensee who permits minor consumption	<b>ISS 3; VNL</b> <b>\$1,095 plus \$100 PRRF suspended -OR- \$145 (RF and fees) plus \$100 PRRF suspended <u>and</u> 24-32H Volunteer work at alcohol/drug program or coroner's office</b>  Fine <b>OR</b> RF and fees and volunteer work (mandatory)
<b>BP 25661</b> Possession of false ID ( <i>Infraction</i> )	<b>\$172</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  [No probation, fine is sentence]
<b>BP 25661</b> Possession of false ID ( <i>Misdemeanor</i> )	<b>ISS 3; VNL</b> <b>\$1,095 plus \$100 PRRF suspended 24-32H Volunteer work at alcohol/drug program or coroner's office*</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  *If volunteer work is ordered it is <b>mandatory</b> that it be performed at an alcohol/drug program or coroner's office.
<b>BP 25661</b> Possession of false ID ( <i>Misdemeanor</i> ) <b>with one prior</b>	<b>ISS 3; VNL</b> <b>\$2,045 plus \$100 PRRF suspended 36-48H Volunteer work at alcohol/drug program or coroner's office*</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  *If volunteer work is ordered it is <b>mandatory</b> that it be performed at an alcohol/drug program or coroner's office.



## BUSINESS & PROFESSIONS CODE

<b>BP 25662(a)</b> Minor in possession of alcohol ( <i>Infraction</i> )	<b>\$172 –OR– \$20 (CSF) <u>and</u> 24-32H Volunteer work at alcohol/drug program</b>  <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  Fine <b>OR</b> CSF and volunteer work (mandatory)  [No probation, fine is sentence]
<b>BP 25662(a)</b> Minor in possession of alcohol ( <i>Infraction</i> ) <b>with one prior</b>	<b>\$324 –OR– \$20 (CSF) <u>and</u> 36-48H Volunteer work at alcohol/drug program</b>  <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  Fine <b>OR</b> CSF and volunteer work (mandatory)  [No probation, fine is sentence]
<b>BP 25662(a)</b> Minor in possession of alcohol ( <i>Misdemeanor</i> )	<b>ISS 3; VNL</b> <b>\$1,095 plus \$100 PRRF suspended –OR– \$145 (RF and fees) plus \$100 PRRF suspended <u>and</u> 24-32H Volunteer work at alcohol/drug program or coroner's office</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  Fine <b>OR</b> RF and fees and volunteer work (mandatory)
<b>BP 25662(a)</b> Minor in possession of alcohol ( <i>Misdemeanor</i> ) <b>with one prior</b>	<b>ISS 3; VNL</b> <b>\$2,045 plus \$100 PRRF suspended –OR– \$145 (RF and fees) plus \$100 PRRF suspended <u>and</u> 36-48 H Volunteer work at alcohol/drug program or coroner's office</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  Fine <b>OR</b> RF and fees and volunteer work <b>OR</b> both (mandatory)

## HEALTH & SAFETY CODE

<b>HS 11357(b)</b> Possession of marijuana – 28.5 grams or less	<b>\$206</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  [No probation, fine is sentence]
<b>HS 11357(c)</b> Possession of marijuana – more than 28.5 grams	<b>ISS 3; VNL</b> <b>30D custody stayed</b> <b>\$662</b> including \$100 SAAU fee; <b>plus \$100 PRRF suspended</b> <b>3D PWS</b> <b>Not use or possess controlled substances</b> <b>4<sup>th</sup> Waiver</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>Refer to SAAU</b>
<b>HS 11364</b> Possession of drug paraphernalia	<b>ISS 3; VNL</b> <b>\$809</b> including \$100 SAAU fee; <b>plus \$100 PRRF suspended</b> <b>Not use or possess controlled substances</b> <b>4<sup>th</sup> Waiver</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>Refer to SAAU</b>
<b>HS 11377(a)</b> Possession of controlled substance	<b>ISS 3; VNL</b> <b>\$809</b> including \$100 SAAU fee; <b>plus \$100 PRRF suspended</b> <b>Not use or possess controlled substances (mandatory)</b> <b>4<sup>th</sup> Waiver</b> <b>AIDS education (mandatory)</b> <b>Offer HIV test (mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>Refer to SAAU</b>
<b>HS 11550(a)</b> Under the influence of a controlled substance	<b>ISS 5; VNL</b> <b>90D custody</b> , may be stayed pending completion of rehab. <b>(mandatory)</b> <b>\$809</b> including \$100 SAAU fee; <b>plus \$100 PRRF suspended</b> <b>Not use or possess controlled substances (mandatory)</b> <b>4<sup>th</sup> Waiver</b> <b>AIDS education (mandatory)</b> <b>Offer HIV test (mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>Register as Narcotics Offender (HS 11590) (mandatory)</b> <b>Refer to SAAU</b>

## PENAL CODE

<b>PC 148(a)</b> Delaying or resisting arrest	<b>ISS 3; VNL</b> <b>\$525 plus \$100 PRRF suspended</b> <b>5D PWS</b>
<b>PC 148.9(a)</b> False ID to peace officer	<b>ISS 3; VNL</b> <b>\$449 plus \$100 PRRF suspended</b>
<b>PC 240</b> Assault (not DV-related)	<b>ISS 3; VNL</b> <b>\$525 plus \$100 PRRF suspended</b> <b>10-20H Volunteer work -OR- Anger management course</b> <b>PC 12021(c) advisal (mandatory)</b> <b>NVC; SAO</b>  Volunteer work <b>OR</b> anger management course.
<b>PC 242/243(a)</b> Simple battery (not DV-related)	<b>ISS 3; VNL</b> <b>\$525 plus \$100 PRRF suspended</b> <b>10-20H Volunteer work -OR- Anger management course</b> <b>PC 12021(c) advisal (mandatory)</b> <b>NVC</b>  Volunteer work <b>OR</b> anger management course.
<b>PC 242/243(b)</b> Battery on a peace officer	<b>ISS 3; VNL</b> <b>\$525 plus \$100 PRRF suspended</b> <b>5D PWS</b> <b>Anger management course</b> <b>PC 12021(c) advisal (mandatory)</b> <b>NVC; SAO</b>

## PENAL CODE

<b>PC 245(a)(1)</b> Assault with a deadly weapon (not firearm)	<b>ISS 3; VNL</b> <b>\$715 plus \$100 PRRF suspended</b> <b>5D PWS</b> <b>Anger management course</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>PC 12021(c) advisal (mandatory)</b> <b>NVC; SAO</b>
<b>PC 245(a)(2)</b> Assault with a deadly weapon (firearm)	<b>ISS 3; VNL</b> <b>180D custody (mandatory)</b> <b>\$715 plus \$100 PRRF suspended</b> <b>Anger management course</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>PC 12021(c) advisal (mandatory)</b> <b>NVC; SAO</b>
<b>PC 273a(b)</b> Child abuse or endangerment	<b>ISS 4; VNL</b> <b>\$687 including \$100 SAAU fee plus \$100 PRRF suspended</b> <b>Child abuser's counseling program (mandatory)</b> <b>Protective order (mandatory)</b> <b>Refer to SAAU <i>IF</i> substance abuse is involved</b>
<b>PC 273.6</b> Violation of civil restraining order (not DV-related)	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b> <b>PC 12021(c) advisal (mandatory)</b>
<b>PC 290(g)(1)</b> Failure to register as sex offender	<b>ISS 3; VNL</b> <b>\$934 plus \$100 PRRF suspended</b> <b>Register per PC 290 forthwith</b>  <i>Consider Probation mini-report</i>
<b>PC 308</b> Selling tobacco to a minor	<b>\$905</b>  [No probation, fine is sentence]

## PENAL CODE

<b>PC 308</b> Selling tobacco to a minor <b>with one prior</b>	<b>\$2,045</b>  [No probation, fine is sentence]
<b>PC 308</b> Selling tobacco to a minor <b>with two priors</b>	<b>\$3,945</b>  [No probation, fine is sentence]
<b>PC 314.1</b> Indecent exposure	<b>ISS 3; VNL</b> <b>\$1,314 plus \$100 PRRF suspended</b> <b>Lifetime registration per PC 290 (mandatory)</b>  <i>Consider PWS and Probation mini-report</i>
<b>PC 372</b> Public nuisance	<b>ISS 3; VNL</b> <b>\$411 plus \$100 PRRF suspended</b> <b>\$200 ordered paid to city or county where violation occurred to be</b> <b>used for their illegal dumping enforcement program (mandatory)</b> <b>Weapon ordered transferred/destroyed <u>IF</u> LIO of weapons charge</b> <b>(mandatory)</b> <b>HW required <u>IF</u> LIO</b>
<b>PC 415(1) or (2)</b> As misdemeanor reduction	<b>ISS 3; VNL</b> <b>\$411 plus \$100 PRRF suspended</b>
<b>PC 415(1) or (2)</b> As infraction reduction	<b>\$172</b>  [No probation, fine is sentence]

## PENAL CODE

<b>PC 415(3)</b> Lewd conduct (Reduction from PC647(a) or (b))	<b>ISS 3; VNL</b> <b>Street conditions</b> <b>\$411 plus \$100 PRRF suspended</b> <b>AIDS education</b> <b>Prostitution Impact Panel</b> – Central Division only <b>HW required</b>
<b>PC 417(a)(1)</b> Brandishing a non- firearm	<b>ISS 3; VNL</b> <b>\$411 plus \$100 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>PC 12021(c) advisal (mandatory)</b>
<b>PC 417(a)(2)</b> Brandishing a firearm	<b>ISS 3; VNL</b> <b>90D custody (mandatory)</b> <b>\$411 plus \$100 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>PC 12021(c) advisal (mandatory)</b>
<b>PC 422</b> Criminal threats	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b> <b>PC 12021(c) advisal (mandatory)</b>  <i>Consider volunteer work or PWS</i>
<b>PC 459</b> Burglary	<b>ISS 3; VNL</b> <b>1D custody (mandatory)</b> - may be satisfied by B&R <b>\$938 plus \$100 PRRF suspended</b> <b>PC 666 advisal (mandatory)</b> <b>SAO</b>

## PENAL CODE

<b>PC 466</b> Burglary tools	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Forfeit burglary tools</b>
<b>PC 470</b> Forgery	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b> <b>10D PWS</b> <b>4<sup>th</sup> waiver</b>  <i>Consider SAO</i>
<b>PC 484(a)-488</b> Petty theft	<b>ISS 3; VNL</b> <b>1D custody</b> - may be satisfied by B&R ( <b>mandatory</b> to be priorable) <b>\$563 plus \$100 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>PC 666 advisal</b> <b>SAO</b>  <i>Consider shoplifting course</i>
<b>PC 484(a)-488</b> Petty theft <b>with one prior</b>	<b>ISS 3; VNL</b> <b>1D custody</b> ( <b>mandatory</b> ) - may be satisfied by B&R <b>\$563 plus \$100 PRRF suspended</b> <b>10D PWS</b> <b>4<sup>th</sup> waiver</b> <b>PC 666 advisal</b> <b>SAO</b>
<b>PC 485/488</b> Misappropriation of lost property	<b>ISS 3; VNL</b> <b>\$212 plus \$100 PRRF suspended</b>  <i>Consider SAO</i>

## PENAL CODE

---

<b>PC 487</b> Grand theft	<b>ISS 3; VNL</b> <b>1D custody (mandatory)</b> - may be satisfied by B&R <b>\$938 plus \$100 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>PC 666 advisal</b> <b>SAO</b>  <i>Consider PWS or theft course</i>
<b>PC 490.1</b> Petty theft ( <i>Infraction</i> )	<b>\$172</b>  [No probation, fine is sentence]
<b>PC 496</b> Receiving stolen property	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b>  <i>Consider PWS</i>
<b>PC 593(d)</b> Cable theft	<b>ISS 3; VNL</b> <b>\$411 plus \$100 PRRF suspended</b>  <i>Consider PWS</i>

---



## PENAL CODE

<b>PC 594(a)(b)(1)</b> Vandalism (\$400 - \$10,000) (not DV-related)	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b> <b>10D PWS*</b> <b>4<sup>th</sup> waiver</b> <b>Anger management course</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>2Y license suspension (mandatory)</b> Note: The court can make findings that “a personal or family hardship exists that requires the person to have a driver’s license for his or her own, or a member of his or her family’s employment or medically related purposes.” <b>1-3Y delay to get license <i>IF</i> defendant does not yet have the privilege to drive (mandatory)</b> <b>SAO</b>  <b>*Central Division only: \$200 to City’s Graffiti Reward Fund and 48H Volunteer work with Alpha Project <u>ILO</u> PWS</b>
<b>PC 594(a)(b)(2)</b> Vandalism (less than \$400) (not DV-related)	<b>ISS 3; VNL</b> <b>\$411 plus \$100 PRRF suspended</b> <b>5D PWS*</b> <b>4<sup>th</sup> waiver</b> <b>Anger management course</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>2Y license suspension (mandatory)</b> Note: The court can make findings that “a personal or family hardship exists that requires the person to have a driver’s license for his or her own, or a member of his or her family’s employment or medically related purposes.” <b>1Y-3Y delay to get license <i>IF</i> defendant does not yet have the privilege to drive (mandatory)</b>  <b>*Central Division only: \$200 to City’s Graffiti Reward Fund and 8H Volunteer work with Alpha Project <u>ILO</u> PWS</b>
<b>PC 602(k)</b> Trespass (reduction from petty theft)	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b> <b>SAO</b>

## PENAL CODE

<b>PC 647(a)</b> Lewd conduct in public	ISS 3; VNL <b>\$563 plus \$100 PRRF suspended</b> <b>AIDS education (mandatory)</b> <b>Offer HIV test (mandatory)</b>
<b>PC 647(b)</b> Prostitution	ISS 3; VNL <b>Street conditions</b> <b>\$563 plus \$100 PRRF suspended</b> <b>AIDS education (mandatory)</b> <b>HIV test (mandatory)</b>
<b>PC 647(b)</b> Prostitution <b>with one prior</b>	ISS 3; VNL <b>Street conditions</b> <b>45D custody (mandatory)</b> <b>\$563 plus \$100 PRRF suspended</b> <b>HIV test (mandatory)</b>
<b>PC 647(b)</b> Prostitution <b>with two priors</b>	ISS 3; VNL <b>Street conditions</b> <b>90D custody (mandatory)</b> <b>\$563 plus \$100 PRRF suspended</b> <b>HIV test (mandatory)</b>
<b>PC 647(f)-D</b> As reduction from HS11550(a)	ISS 3; VNL <b>\$174 plus \$100 PRRF suspended</b> <b>30D PWS <u>OR</u> 60D inpatient <u>OR</u> 120D outpatient treatment</b> <b>AIDS education* <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>10 Self-help meetings*</b> <b>Offer HIV test <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  <i>*AIDS education &amp; self-help mtgs satisfied if choose treatment</i>

Add 30D custody for each prior.

## PENAL CODE

<b>PC 647(f)</b> Public intoxication	<b>ISS 3; VNL</b> <b>\$174 plus \$100 PRRF suspended</b> <b>Abstain from alcohol in public</b> <b>AIDS education <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>Offer HIV test <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>SAO</b>  <i>Consider self-help meetings</i>
<b>PC 647(f)</b> Public intoxication <b>with one prior</b>	<b>ISS 3; VNL</b> <b>30D custody</b> <b>\$174 plus \$100 PRRF suspended</b> <b>Abstain from alcohol</b> <b>AIDS education <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>Offer HIV test <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>SAO</b>
<b>PC 647(f)</b> Public intoxication <b>with two priors</b>	<b>ISS 3; VNL</b> <b>60D custody</b> <b>\$174 plus \$100 PRRF suspended</b> <b>Abstain from alcohol</b> <b>AIDS education <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>Offer HIV test <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>SAO</b>

## PENAL CODE

<b>PC 647(f)</b> Public intoxication with three or more priors	<b>ISS 3; VNL</b> <b>90D custody</b> <b>\$174 plus \$100 PRRF suspended</b> <b>Abstain from alcohol</b> <b>AIDS education <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>Offer HIV test <u>IF</u> I.V. use of controlled substance involved</b> <b>(mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>SAO</b>  Add 30D custody for each additional prior.
<b>PC 647(j)</b> Illegal lodging	<b>ISS 3; VNL</b> <b>\$174 plus \$100 PRRF suspended</b> <b>SAO</b>  <i>Consider volunteer work</i>
<b>PC 647.6</b> Annoying or molesting a child	<b>ISS 3; VNL</b> <b>\$1,314 plus \$100 PRRF suspended</b> <b>SAO – no negative contact</b> <b>Lifetime registration per PC 290 (mandatory)</b> <b>Counseling <i>UNLESS</i> the court makes a written statement on the record</b> <b>that counseling would be inappropriate or ineffective (mandatory)</b>
<b>PC 12020(a)</b> Disguised weapon	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Weapon ordered transferred/destroyed (mandatory)</b>
<b>PC 12025</b> Concealed firearm	<b>ISS 3; VNL</b> <b>\$563 plus \$100 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Weapon ordered transferred/destroyed (mandatory)</b>

## PENAL CODE

---

<b>PC 12031(a)</b>	<b>ISS 3; VNL</b>
Carrying a loaded firearm	<b>\$791 plus \$100 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>No firearms/weapons outside of residence</b>

---

## VEHICLE CODE

<b>VC 2800.1</b> Flight from peace officer	<b>ISS 3; VNL</b> <b>\$564 plus \$100 PRRF suspended</b> <b>10D PWS</b>
<b>VC 4000(a)(1)</b> Driving without current registration ( <i>Infraction</i> )	<b>\$211*</b>  [No probation, fine is sentence]  *If proof of registration is provided, valid either before <u>or</u> after the offense, may dismiss the charge. \$10 transaction fee applies.
<b>VC 4454(a)</b> No registration in vehicle ( <i>Infraction</i> )	<b>\$130*</b>  [No probation, fine is sentence]  *If proof of registration is provided, valid either before <u>or</u> after the offense, may dismiss the charge. \$10 transaction fee applies.
<b>VC 4462.5</b> False tabs	<b>ISS 3*; VNL</b> <b>\$564 plus \$100 PRRF suspended</b> <b>Destroy false tabs</b>  *After 18M successful probation and payment of fine, reduce to infraction.
<b>VC 5200(a)</b> No license plate(s) ( <i>Infraction</i> )	<b>\$130*</b>  [No probation, fine is sentence]  *If proof of correction is provided, may dismiss the charge. \$10 transaction fee applies.

## VEHICLE CODE

<b>VC 10851(a)</b> Stolen vehicle	ISS 3; VNL <b>1D custody (mandatory)</b> - may be satisfied by B&R <b>\$564 plus \$100 PRRF suspended</b> <b>10D PWS</b> <b>4<sup>th</sup> Waiver</b> <b>PC 666 advisal (mandatory)</b>
<b>VC 10852</b> Tampering w/ a vehicle	ISS 3; VNL <b>\$445 plus \$100 PRRF suspended</b> <b>10D PWS</b> <b>4<sup>th</sup> Waiver</b>
<b>VC 12500(a)</b> Driving without valid driver's license ( <i>Infraction</i> )	<b>\$320*</b>  [No probation, fine is sentence]  *If proof of driver's license is provided, valid on or before the offense, may dismiss the charge. \$10 transaction fee applies.
<b>VC 12500(a)</b> Driving without valid driver's license ( <i>Infraction</i> ) <b>with one prior</b> (w/in 1 year)	<b>\$411*</b>  [No probation, fine is sentence]  *If proof of driver's license is provided, valid on or before the offense, may dismiss the charge. \$10 transaction fee applies.
<b>VC 12500(a)</b> Driving without valid driver's license ( <i>Misdemeanor</i> )	ISS 3; VNL <b>\$445 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b>
<b>VC 12500 as LIO of VC 14601.1(a)</b>	ISS 3; VNL <b>\$445 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b>

## VEHICLE CODE

<b>VC 12951(a)</b> Driver's license not in possession <i>(Infraction)</i>	<b>\$168</b>  [No probation, fine is sentence]  *If proof of driver's license is provided, valid on or before the offense, may dismiss the charge. \$10 transaction fee applies.
<b>VC 14601(a)</b> Negligent operator driving w/ suspended or revoked license	<b>ISS 3; VNL</b> <b>5D custody (mandatory)</b> <b>\$1,286 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC14601.2 (mandatory)</b>
<b>VC 14601(a)</b> Negligent operator driving w/ suspended or revoked license <b>with one prior</b>	<b>ISS 3; VNL</b> <b>10D custody (mandatory)</b> <b>\$2,094 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC14601.2 (mandatory)</b>
<b>VC 14601.1(a)</b> Driving w/ suspended or revoked license <i>(Infraction)</i>	<b>\$591</b>  [No probation, fine is sentence]
<b>VC 14601.1(a)</b> Driving w/ suspended or revoked license <i>(Infraction)</i> <b>with one prior</b>	<b>\$1,019</b>  [No probation, fine is sentence]
<b>VC 14601.1(a)</b> Driving w/ suspended or revoked license <i>(Misdemeanor)</i>	<b>ISS 3; VNL</b> <b>\$1,286 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC14601.2 (mandatory)</b>



## VEHICLE CODE

<b>VC 14601.1(a)</b> Driving w/ suspended or revoked license <b>with one prior</b> (w/in 5 years)	<b>ISS 3; VNL</b> <b>5D custody (mandatory)</b> <b>\$2,094 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC14601.2 (mandatory)</b>
<b>VC 14601.1(a)</b> Driving w/ suspended or revoked license <b>with two priors</b> (w/in 5 years)	<b>ISS 3; VNL</b> <b>10D custody (5D mandatory)</b> <b>\$2,094 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC14601.2 (mandatory)</b>
<p style="text-align: center;">If three or more priors, increase fine and/or custody at court's discretion.</p>	
<b>VC 14601.2(a)</b> Driving after VC23152 or 23153 suspension or revocation	<b>ISS 3; VNL</b> <b>10D custody (mandatory)</b> <b>\$1,286 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y)</b>
<b>VC 14601.2(a)</b> Driving after VC23152 or 23153 suspension or revocation <b>with one prior</b> (w/in 5 years)	<b>ISS 3; VNL</b> <b>30D custody (mandatory)</b> <b>\$2,094 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y)</b>
<b>VC 14601.3(a)</b> Habitual offender	<b>ISS 3; VNL</b> <b>30D custody (mandatory)</b> <b>\$3,946 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b>

## VEHICLE CODE

<b>VC 14601.3(a)</b> Habitual offender <b>with one prior</b> (w/in 7 years)	<b>ISS 3; VNL</b> <b>180D custody (mandatory)</b> <b>\$7,794 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b>
<b>VC 14601.5(a)</b> Driving w/ suspended or revoked license for failure to submit to test	<b>ISS 3; VNL</b> <b>\$1,286* plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC14601.2 (mandatory)</b>  *Must consider defendant's ability to pay. (mandatory)
<b>VC 14601.5(a)</b> Driving w/ suspended or revoked license for failure to submit to test <b>with one prior</b> (w/in 5 years)	<b>ISS 3; VNL</b> <b>10D custody (mandatory)</b> <b>\$2,094 * plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC14601.2 (mandatory)</b>  *Must consider defendant's ability to pay. (mandatory)
<b>VC 16028(a)</b> Driving w/o proof of insurance <i>(Infraction)</i>	<b>\$781*</b>  [No probation, fine is sentence]  *If insurance was valid <u>on or before</u> the date of the offense, dismiss charge. \$10 transaction fee applies. If insurance was valid <u>after</u> date of offense and proof is provided to the court within 60 days of appearance, reduce to <b>\$401**</b> .  **The fine may not be waived, suspended, or reduced below this amount unless the court in its discretion reduces or waives the fine based on the defendant's ability to pay.

## VEHICLE CODE

<b>VC 16028(a)</b> Driving w/o proof of insurance ( <i>Infraction</i> ) <b>with one prior</b>	<b>\$981*</b>  [No probation, fine is sentence]  *If insurance was valid <u>on or before</u> the date of the offense, dismiss charge. \$10 transaction fee applies. If insurance was valid <u>after</u> date of offense and proof is provided to the court within 60 days of appearance, reduce to <b>\$791**</b> .  **The fine may not be waived, suspended, or reduced below this amount unless the court in its discretion reduces or waives the fine based on the defendant's ability to pay.
<b>VC 20002(a)</b> Hit and run	<b>ISS 3; VNL</b> <b>\$754 plus \$100 PRRF suspended</b> <b>7D PWS</b> <b>Do not drive without valid license and liability insurance</b>  If no insurance, add \$100 & 5D PWS  <i>Consider Classroom-based Repeat Traffic Offender Education</i>
<b>VC 21453(a)</b> Failure to stop at red light ( <i>Infraction</i> )	<b>\$401</b>  [No probation, fine is sentence]
<b>VC 21461(a)</b> Failure to obey sign, signal, device ( <i>Infraction</i> )	<b>\$168</b>  [No probation, fine is sentence]
<b>VC 21655.5(b)</b> Car pool lane violation ( <i>Infraction</i> )	<b>\$401</b>  [No probation, fine is sentence]

## VEHICLE CODE

---

**VC 21655.5(b)**

Car pool lane violation  
(*Infraction*)  
**with one prior**  
(w/in 1 year)

**\$601**

[No probation, fine is sentence]

---

**VC 21655.5(b)**

Car pool lane violation  
(*Infraction*)  
**with two priors**  
(w/in 2 years)

**\$981**

[No probation, fine is sentence]

---

**VC 22101(d)**

Illegal turn at  
intersection  
(*Infraction*)

**\$168**

[No probation, fine is sentence]

---

**VC 22348(b)**

Speed over 100 MPH  
(*Infraction*)

**\$1,185** including TVS fees  
**Classroom-based Repeat Traffic Offender Education**

[No probation, fine is sentence]

---

**VC 22349(a)**

Driving in excess of 65  
MPH  
(*Infraction*)

**\$168 – 401 depending on speed. See speed chart.**

Speed Chart	
<b>1-15 MPH over limit</b>	<b>\$168</b>
<b>16-25 MPH over limit</b>	<b>\$287</b>
<b>26+ MPH over limit</b>	<b>\$401</b>

[No probation, fine is sentence]

---

## VEHICLE CODE

---

**VC 22350**      **\$168 – 401 depending on speed. See speed chart.**  
Unsafe speed for  
conditions  
(*Infraction*)

Speed Chart	
1-15 MPH over stated safe speed	\$168
16-25 MPH over stated safe speed	\$287
26+ MPH over stated safe speed	\$401

[No probation, fine is sentence]

---

**VC 22450(a)**      **\$168**  
Failure to stop at stop  
sign  
(*Infraction*)      [No probation, fine is sentence]

---

**VC 23103(a) or (b)**      **ISS 3; VNL**  
Reckless driving –  
non-alcohol  
no injury      **\$825 plus \$100 PRRF suspended**  
**Do not drive without valid license and liability insurance**  
  
*Consider PWS and Classroom-based Repeat Traffic Offender  
Education*

---

**VC 23103(a) per 23103.5**      **ISS 3; VNL**  
Wet reckless (reduced  
from VC23152)  
no injury      **\$1,006 including \$100 SAAU fee, plus \$100 PRRF suspended**  
**SAC**  
**FCP if BAC >.08%; 12H course if <.08% (FCP mandatory)**  
**Driving under the influence victim impact panel (MADD)**  
**Do not drive without valid license and liability insurance**  
**1Y license suspension IF under 21 (mandatory)**  
**Refer to SAAU**  
**VC 23593 advisal (mandatory)**

---

**VC 23109(a)**      **ISS 3; VNL**  
Speed contest  
no injury      **\$1,509 plus \$100 PRRF suspended**  
**5D PWS**  
**Do not drive without valid license and liability insurance**  
**3-6M license suspension/restriction – discretionary**

---

## VEHICLE CODE

<b>VC 23109(a)</b> Speed contest with one prior	<b>ISS 3; VNL</b> <b>2D custody (mandatory)</b> <b>\$2,094 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>6M license suspension/restriction (mandatory)</b>
<b>VC 23109(c)</b> Exhibition of speed	<b>ISS 3; VNL</b> <b>\$564 plus \$100 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b>
<b>VC 23111</b> Throwing substance on highway ( <i>Infraction</i> )	<b>\$401</b> <b>1D PWS (litter pick-up or graffiti removal) (mandatory)</b>  <b>No portion of the fine or PWS may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PWS for every \$100 suspended. (mandatory)</b>  [No probation, fine and PWS is sentence]
<b>VC 23111</b> Throwing substance on highway ( <i>Infraction</i> ) with one prior	<b>\$1,931</b> <b>2D PWS (litter pick-up or graffiti removal) (mandatory)</b>  <b>No portion of the fine or PWS may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PWS for every \$100 suspended. (mandatory)</b>  [No probation, fine and PWS is sentence]

## VEHICLE CODE

---

<b>VC 23111</b> Throwing substance on highway ( <i>Infraction</i> ) <b>with two priors</b>	<b>\$2,881</b> <b>3D PWS (litter pick-up or graffiti removal) (mandatory)</b>  <b>No portion of the fine or PWS may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PWS for every \$100 suspended. (mandatory)</b>  [No probation, fine and PWS is sentence]
--	--

---

<b>VC 23140</b> Minor with BAC .05% ( <i>Infraction</i> )	<b>\$401</b> with \$100 stayed 90D pending proof of driving under the influence victim impact panel (MADD) <b>12H FCP (mandatory)</b> <b>Driving under the influence victim impact panel (MADD)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> <b>Advise that driving privilege will not be reinstated until FCP program is completed (mandatory)</b>  [No probation]
---	--

---

## VEHICLE CODE

**VC 23152(a) or (b)**  
Driving under the  
influence

**ISS 5; VNL**

**\$1,912** including \$100 SAAU fee, **plus \$100 PRRF suspended**  
**PWS** as high blood alcohol concentration (BAC) enhancement:

<b>BAC</b>	<b># of Days PWS</b>
.15% to .19%	5 Days
.20% to .24%	10 Days
.25% and above	15 Days

**Standard Alcohol Conditions (SAC) (VC23600) (mandatory)**

1. Not drive with any measurable amount of alcohol in blood;
2. Submit to any test at the request of a peace officer for detection of alcohol and drugs;
3. Violate no laws regarding driving a motor vehicles while under the influence or in the possession of alcohol or drugs;
4. Not drive without a valid license and proof of insurance.

**FCP (mandatory)**

<b>BAC</b>	<b>Length of FCP program</b>
.19% or below	3M
.20% or higher	6M if offense prior to 1/1/06 9M if offense on or after 1/1/06
Test refusal	6M if offense prior to 1/1/06 9M if offense on or after 1/1/06

**Driving under the influence victim impact panel (MADD)**

**3M license suspension/restriction** (if offense prior to 9/20/05) If offense on or after 9/20/05, DMV addresses.

**1Y license suspension IF** under 21 (mandatory)

**Surrender license (mandatory IF)** not previously surrendered to law enforcement or DMV)

**Refer to SAAU (mandatory)**

**VC 23593 advisal (mandatory)**

Also see Special Allegation Conditions on page 32.



## VEHICLE CODE

**VC 23152 (a) or (b)**  
Driving under the  
influence  
with one prior

**ISS 5; VNL**

**96H custody (mandatory)**

**\$2,378** including \$100 SAAU fee, **plus \$100 PRRF suspended PWS** as high blood alcohol concentration (BAC) enhancement:

<b>BAC</b>	<b># of Days PWS</b>
Up to .14%	5 Days
.15% to .19%	10 Days
.20% to .24%	20 Days
.25% and above	30 Days

**Standard Alcohol Conditions (SAC) (VC23600) (mandatory)**

1. Not drive with any measurable amount of alcohol in blood;
2. Submit to any test at the request of a peace officer for detection of alcohol and drugs;
3. Violate no laws regarding driving a motor vehicles while under the influence or in the possession of alcohol or drugs;
4. Not drive without a valid license and proof of insurance.

**MCP**

**Driving under the influence victim impact panel (MADD)**

**24M License suspension/restriction** (if offense prior to 9/20/05)

**1Y license suspension IF under 21 (mandatory)**

**Surrender license (mandatory IF not previously surrendered to law enforcement or DMV)**

**Refer to SAAU (mandatory)**

**1-30D vehicle impound (mandatory)**

**VC 23593 advisal (mandatory)**

Also see Special Allegation Conditions on page 32.

## VEHICLE CODE

**VC 23152(a) or (b)**  
Driving under the  
influence  
with two priors

**ISS 5; VNL**

**120D custody (mandatory)**

**\$2,644** including \$100 SAAU fee, **plus \$100 PRRF suspended**  
**Standard Alcohol Conditions (SAC) (VC23600) (mandatory)**

1. Not drive with any measurable amount of alcohol in blood;
2. Submit to any test at the request of a peace officer for detection of alcohol and drugs;
3. Violate no laws regarding driving a motor vehicles while under the influence or in the possession of alcohol or drugs;
4. Not drive without a valid license and proof of insurance.

**MCP (mandatory)**

**Driving under the influence victim impact panel (MADD)**

**Advise defendant that DMV will revoke license for 3Y**

**1Y license suspension IF under 21 (mandatory)**

**Surrender license (mandatory IF not previously surrendered to law enforcement or DMV)**

**1-90D vehicle impound (mandatory IF prior w/in 5 years)**

**Designate as habitual offender for 3Y (VC23546(b)) (mandatory)**

**Refer to SAAU (mandatory)**

**VC 23593 advisal (mandatory)**

*Consider IID (max term 3Y)*

Also see Special Allegation Conditions below.

---

### **Driving Under the Influence Special Allegations** **Conditions are In Addition To other Terms of Probation (mandatory)**

**VC 23572** DUI Child Endangerment – passenger under 14

1<sup>st</sup> offense: **48H custody**

With one prior: **10D custody**

With two or more priors: **30D custody**

**VC 23577** DUI test refusal

1<sup>st</sup> offense: **48H custody**

With one prior: **96H custody**

With two or more priors: **10D custody**

**VC 23582** Reckless driving with DUI (30+ MPH freeway; 20+ MPH street)  
**60D custody**

## VEHICLE CODE

**VC 23153**  
DUI with injury

**ISS 5; VNL**

**5D custody (mandatory)**

**\$2,330** including \$100 SAAU fee, **plus \$100 PRRF suspended PWS** as high blood alcohol concentration (BAC) enhancement:

BAC	# of Days PWS
.15% to .19%	5 Days
.20% to .24%	10 Days
.25% and above	15 Days

**Standard Alcohol Conditions (SAC) (VC23600) (mandatory)**

1. Not drive with any measurable amount of alcohol in blood;
2. Submit to any test at the request of a peace officer for detection of alcohol and drugs;
3. Violate no laws regarding driving a motor vehicles while under the influence or in the possession of alcohol or drugs;
4. Not drive without a valid license and proof of insurance.

**FCP (mandatory)**

BAC	Length of FCP program
.19% or below	3M
.20% or higher	6M if offense prior to 1/1/06 9M if offense on or after 1/1/06
Test refusal	6M if offense prior to 1/1/06 9M if offense on or after 1/1/06

**Driving under the influence victim impact panel (MADD)**

**12M License suspension/restriction** (if offense prior to 9/20/05)

**1Y license suspension IF under 21 (mandatory)**

**Surrender license (mandatory IF not previously surrendered to law enforcement or DMV)**

**Refer to SAAU (mandatory)**

**VC 23593 advisal (mandatory)**

*Consider IID*

Also see Special Allegation Conditions on page 32.

## VEHICLE CODE

<b>VC 23222(b)</b> Marijuana in vehicle while driving	<b>\$207</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b>  [No probation, fine is sentence]
<b>VC 26708(a)</b> Tinted windows OR material obstructing view ( <i>Infraction</i> )	<b>\$130*</b>  [No probation, fine is sentence]  *If proof of correction is provided, may dismiss the charge. \$10 transaction fee applies.
<b>VC 27315(d)</b> Driving w/o wearing seatbelt ( <i>Infraction</i> )	<b>\$97*</b>  *May order TVS <u>ILO</u> fine  [No probation, fine is sentence]
<b>VC 27315(d)</b> Driving w/o wearing seatbelt ( <i>Infraction</i> ) <b>with one prior</b>	<b>\$221</b>  [No probation, fine is sentence]
<b>VC 27360</b> Child passenger restraint violation ( <i>Infraction</i> )	<b>\$401*</b>  *Reduce to <b>\$211</b> if attend Child Safety Seat Class  [No probation, fine is sentence]
<b>VC 27360</b> Child passenger restraint violation ( <i>Infraction</i> ) <b>with one prior</b>	<b>\$1,019*</b>  *Reduce to <b>\$558</b> if attend Child Safety Seat Class  [No probation, fine is sentence]

**FISH & GAME, HARBORS & NAVIGATION, SAN DIEGO MUNICIPAL CODE,  
AND METROPOLITAN TRANSIT DISTRICT BOARD CODES**

<b>FG 7145</b> Fishing without a license ( <i>Infraction</i> )	<b>\$400*</b>  *Reduce to <b>\$129</b> with proof of valid license at time of violation  [No probation, fine is sentence]								
<b>FG 7145</b> Fishing without a license ( <i>Infraction</i> ) <b>with one prior</b> (w/in 5 years)	<b>\$1,160*</b>  *Reduce to <b>\$129</b> with proof of valid license at time of violation  [No probation, fine is sentence]								
<b>HN 655(b) &amp; (c)</b> Boating under the influence	<b>ISS 3; VNL</b> <b>\$999</b> including SAAU fee <b>plus \$100 PRRF suspended</b> <b>PWS</b> as high blood alcohol concentration (BAC) enhancement: <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>BAC</th><th># of Days PWS</th></tr> </thead> <tbody> <tr> <td>.15% to .19%</td><td>5 Days</td></tr> <tr> <td>.20% to .24%</td><td>10 Days</td></tr> <tr> <td>.25% and above</td><td>15 Days</td></tr> </tbody> </table> <b>Coastguard boating safety class (mandatory)</b> <b>Refer to SAAU</b>  <i>Consider FCP</i>	BAC	# of Days PWS	.15% to .19%	5 Days	.20% to .24%	10 Days	.25% and above	15 Days
BAC	# of Days PWS								
.15% to .19%	5 Days								
.20% to .24%	10 Days								
.25% and above	15 Days								
<b>SDMC 56.61</b> Minor consuming alcohol in public ( <i>Infraction</i> )	<b>\$400</b>  [No probation, fine is sentence]								
<b>SDMC 56.61</b> Minor consuming alcohol in public ( <i>Infraction</i> ) <b>with one prior</b>	<b>\$780</b>  [No probation, fine is sentence]								
<b>MTDB Ord. 2</b> Trolley fare evasion ( <i>Infraction</i> )	<b>\$129</b>  [No probation, fine is sentence]								

## PC 1000 AND PC 1210 (PROP 36)

---

**PC 1000**  
Deferred entry of  
judgment

**\$200**

Refer to SAAU

With the agreement of the prosecuting attorney, defense counsel and the court, the defendant pleads guilty and entry of judgment is deferred for 18 months to allow the defendant to successfully complete a qualified drug treatment program. The defendant is charged a \$200 fee and referred to SAAU.

The defendant should be advised by the court that if he/she successfully completes the rehab program and stays drug-free and law abiding for 18 months, the charges are dismissed.

*Reinstatement to Program: \$50 Deferred Entry of Judgment  
Administrative Fee*

---

**PC 1210**  
Proposition 36

**ISS 3 or ISS 5 IF HS 11550**

**\$719 plus \$100 PRRF suspended**

**Probation costs as determined by Probation**

**20D PWS IF required by Probation**

**Long Form Drug Conditions**

- a. Not use or possess any controlled substances unless prescribed for you by a licensed physician.
- b. Submit your person, property, personal effects, vehicle and residence to search at any time of the day or night by probation officer or law enforcement officer with or without a search warrant and with or without reasonable cause.
- c. Submit to testing for the use of controlled substances whenever required by any probation officer or law enforcement officer.
- d. Not associate with known users or traffickers in controlled substances.

**Comply with alcohol conditions**

- a. Totally abstain from the use of alcohol.
- b. Take Antabuse if physically able to do so for the period of probation or present proof to the court or the probation officer of medical inability to do so.
- c. Participate in any program of alcohol/drug treatment or rehabilitation, as recommended by the probation officer.

**Register per HS 11590 IF HS 11550**

Set Review Hearing in Appropriate Department.

Central: D-22

East County: D-4

North County: D-1

South County: D-5

---

## DOMESTIC VIOLENCE OFFENSES

---

Standard sentence for all domestic violence-related offenses pursuant to PC § 1203.097:

ISS 3; VNL

**\$674** plus \$100 PRRF suspended

Restitution to the victim (mandatory)

5D PWS OR volunteer work

52-week DVRP unless alternative treatment is therapeutically recommended  
(mandatory)

Protective order - *consider stay away provision* (mandatory)

PC12021(c) **advisal** (mandatory) except for violations of PC §§166 & 594

*Consider restitution to Battered Women's Shelter*

Add 45D custody for each prior violation

---